IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

Bail Appl..No. 3953 of 2007()

(CRIME NO. 267/2007 of THALIPARAMBA POLICE STATION)

PETITIONERS/ACCUSED 1,2,4,5 & 6 (IN CUSTODY)

1. KONGAYI MUSTHAFA, S/O ABDULLA,
   AGED 36, MUKKOLA, TALIPARAMBA AMSOM,
   TALIPARAMBA TALUK.

2. MOTTACHI FAIZAL @ KAKKOTAKATH FAIZAL,
   S/O.P.K.HASSAN, AGED 21 YEARS,
   NEAR MANNA YATHEEM KHANA, TALIPARAMBA AMSOM,
   TALIPARAMBA TALUKA.

3. P.V.MUSAMMIL, S/O.K.V.KUNHAMMAD,
   AGED 20 YEARS, PAROL HOUSE, PUSHPAGIRI,
   AZAD NAGAR, TALIPARAMBA AMSOM, TALIPARAMBA TALUK.

4. P.ABDUL RASAK, S/O.ABDUL AZEES,
   AGED 20 YEARS, POOMANGALORAKATH HOUSE, MUKKOLA,
   GILMATH NAGAR, TALIPARAMBA AMSOM,
   TALIPARAMBA TALUK.

5. N.V.MANAF, S/O.MUHAMMAD KUNHI,
   AGED 20 YEARS, NALARAKETTIL UNDA, NHATTUVAYAL,
   TALIPARAMBA AMSOM, TALIPARAMBA TALUK.

BY ADV. SRI.V.RAJAGOPAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3953 of 2007

Dated this the 28th day of June, 2007

ORDER

Application for regular bail. Petitioners are accused 1, 9, 15, 16 & 17. They face allegations for offences punishable, inter alia, under Section 436 read with 149 I.P.C. They have been arrested on various dates between 08.05.2007 and 14.05.2007. On account of political animosity between the workers of the IUML and the CPI(M), the petitioners allegedly attacked a tailor shop of a person belonging to the other political group. The petitioners have been continuing in custody from the dates of their arrest.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioners can now be released on bail subject, of course, to appropriate conditions.

3. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute bonds for Rs.50,000/- (Rupees Fifty thousand only)each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12

noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

iii) The petitioners shall not, for a period of one month from the date of their release, enter the jurisdiction of Thaliparamba Police Station except for the purpose of complying with condition No.(ii) above.

(R.BASANT, JUDGE)

rtr/-